

A copy of the Report and Recommendation was sent to Plaintiff at his last known address, return receipt requested, but was returned as undeliverable. Plaintiff has not notified the Court of his present address or current whereabouts. The lawsuit form which Plaintiff filed contains a declaration reading as follows: “I understand, if I am released or transferred, it is my responsibility

to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.” (Docket No. 1 at 4).

Because no objections have been received, the Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017).

Nonetheless, the Court has reviewed the pleadings in this cause and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report and Recommendation of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that where no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law.”) It is accordingly

ORDERED that the Report of the Magistrate Judge (Docket No. 8) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court.

So ORDERED and SIGNED this 24th day of May, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE